

House Bill 312  
January 31, 2013  
Presented by Ken McDonald  
House Agriculture Committee

Mr. Chairman and committee members, I am Ken McDonald, Wildlife Division Administrator with Montana Department of Fish, Wildlife & Parks (FWP). I am here in opposition to House Bill 312.

FWP understands that brucellosis can and has impacted livestock producers. Brucellosis is not a livestock issue, and it is not a wildlife issue, it is a disease issue that we all need to work together on to address. It's in the state's best interest to foster and maintain a healthy livestock industry and healthy wildlife populations. This bill is divisive as it pits wildlife advocates against livestock producers when we need both parties to be working together. This bill undermines one of the most important aspects of the citizen working group recommendations – local working groups coming together to develop a plan/solution to the problem in a “grass-roots” manner. It is also ambiguous in terms of what it requires.

The primary concern FWP has about HB 312 is in Section 1(4) (line 26, page 1) which states “the department of fish, wildlife and parks shall pay testing costs for brucellosis surveillance and prevalence reduction in wildlife” upon notification that livestock in the state are infected with brucellosis.

FWP interprets this to mean if there is a positive brucellosis hit in livestock, and the source was determined to be from elk, it would be necessary to immediately implement a surveillance program in a radius around the location where that livestock was located, as well as implement prevalence reduction procedures in the specific wildlife population in the vicinity of the livestock infection. A statistically valid sample size for surveillance is in the order of 100 elk per local population. Capture and testing of 100 additional elk as per this proposed statute is a significant additional cost and effort, and it is questionable what the value of this information would be within the area where brucellosis has long been documented and in the context of reduction efforts already in place. For the most part, there is a long documented history of prevalence rates in the area immediately surrounding Yellowstone National Park (YNP), and so our additional focus is working cooperatively with Department of Livestock (DoL) and Animal and Plant Health Inspection Services (APHIS) to enhance understanding of the geographical distribution and prevalence rates on the fringe of this Yellowstone area.

“Prevalence reduction procedures” (Section 1 (2b)) could be read to mean test and slaughter, which is extremely controversial, expensive and questionable as to effectiveness on a widely free- ranging elk population. This was recognized by the citizens working group who considered test and slaughter, but did not move it forward in its final recommendations to the Commission. Plus, because brucellosis is still present, both in remaining elk and in the disease reservoirs associated with YNP and the Wyoming elk feed grounds, the DSA remains and none of the livestock regulations pertaining to the DSA go away.

An intentional effort to reduce seroprevalence in feed ground situations in Wyoming failed to capture all the elk and, while detected seroprevalence did fall temporarily, the effort did not

prevent additional infections, does not ensure against seroprevalence increasing again and cost over \$1.5 million for the five year effort. Montana is not interested in establishing feed grounds to attract and congregate elk for prevalence reduction efforts.

Additionally, the Wyoming study cannot dismiss the potential that some or all of the observed seroprevalence reduction was related to documented annual natural fluctuations in seroprevalence.

While the Wyoming study speaks to a situation where elk are relatively more available for consistent capture than in Montana, the northern Yellowstone elk herd represents a lesson learned in a fully free ranging elk population. Reduced from over 19,000 elk in 1994 to 4,600 observed elk in 2011, the seroprevalence rates have increased from 1% in the early 1990s to an estimated 14% in 2008-2010. Even a reduction of 14,000+ elk hasn't reduced the seroprevalence rate in the upper Yellowstone.

Eradication of brucellosis is not feasible based on current tools and technology, especially when the three states and YNP are all on different pages. Rather than focus on test and slaughter, FWP is attempting to focus efforts on working with livestock producers to minimize risk of comingling during high risk periods, and therefore reduce brucellosis transmission. This past year, FWP convened a Citizens Working Group specifically to make recommendations to the FWP Commission regarding elk management in areas with brucellosis. The 12-person workgroup had representatives from livestock and wildlife, including 3 veterinarians. After extensive study and debate, they presented their recommendations to the FWP Commission, who adopted the recommendations following a public review process. Recognizing that test and slaughter was not an acceptable option, their recommendations focused on adjusting elk distribution and concentrations to reduce elk to elk and elk to livestock transmission risk. Because every area is different, and in recognition that landowners and wildlife advocates must work together, they recommended formation of local working groups to identify and implement the best ways to accomplish this. Our intention is to follow through on these recommendations, and provide technical and on-the-ground assistance. This might include providing hazing to disperse elk and in some cases prevent large congregations of elk; providing hunt coordination for landowners willing to allow some hunters on their lands to effectively reduce elk numbers and keep them dispersed; late season dispersal hunts; and fencing stackyards. No efforts would take place on private lands without landowner permission. This bill would minimize these grass roots efforts by mandating a top-down approach.

We are also working closely with DoL and APHIS to better understand prevalence rates, elk movements, and where the risks are highest so management activities can be focused on areas of greatest need.

We need to be working together to address this and other disease issues to minimize impacts to both livestock and wildlife interests. Only then can we comprehensively assess where disease transmission risk is highest, what factors contribute to risk and to the increased or maintained prevalence, figure out how to reduce risk, and pursue the reduction. This bill attempts to apply a one-size-fits-all solution to a very complex problem, and that solution doesn't solve the problem at all. It only divides the people we need to solve the problem.

FWP requests you do not pass HB 312.